

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
THE PINT SIZE CORPORATION, )  
dba D C EXPRESS )  
For Extension of Motor Carrier )  
Permit. )  
\_\_\_\_\_ )

DOCKET NO. 03-0243

DECISION AND ORDER NO. 20673

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Filed November 25, 2003  
At 9 o'clock A. .M.

*Kim Lee*  
for Chief Clerk of the Commission

ATTEST: A True Copy  
BROOKE K. NAGAJI  
Administrative Director  
Public Utilities Commission  
State of Hawaii

*B. Nagaji*

In the Matter of the Application of)  
THE PINT SIZE CORPORATION, )  
dba D C EXPRESS )  
For Extension of Motor Carrier )  
Permit. )

Decision and Order No. 20673

I.

On August 29, 2003, THE PINT SIZE CORPORATION, dba D C EXPRESS ("Applicant"), filed an application seeking commission approval to extend its contract carrier authority under Permit No. 651-P to include other customers, provided that (1) the executed contracts with such customers are filed with the commission prior to the commencement of services, and (2) services are limited to the transportation of property in the specific commodities (refrigerated products) classification on the islands of Kauai, Oahu, Maui and Hawaii. Permit No. 651-P currently authorizes Applicant to operate as a contract carrier of property by motor vehicle in the specific commodities (refrigerated products) classification over irregular routes on the islands of Kauai, Oahu, Maui, and Hawaii, under contract with Baskin Robbins USA, Co. On August 8, 2003, by Decision and Order No. 20371, in Docket No. 03-0207, the commission granted Applicant temporary authority to operate as a contract carrier by motor vehicle in the

specific commodities (refrigerated products) classification over irregular routes on the island of Oahu pursuant to a contract with ABC Stores. Applicant's temporary authority is effective for 120 days, until December 8, 2003.

Applicant served copies of the application on the Hawaii Transportation Association, which consists of carriers that may be affected by Applicant's proposed service, and on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"). The Consumer Advocate did not participate in this proceeding, and no persons moved to intervene in this docket.

## II.

### Findings and Conclusions

Based upon our review of the record, we find that Applicant is fit, willing, and able to properly perform the proposed service, and to conform to Hawaii Revised Statutes ("HRS") chapter 271 and the requirements and rules of the commission. We also find that the proposed service will be consistent with the public interest and transportation policy declared in HRS chapter 271. Accordingly, we conclude that Applicant's request for an extension of its authority should be granted.

### III.

#### Orders

##### THE COMMISSION ORDERS:

1. Applicant is authorized to expand its authority under Permit No. 651-P to include other customers, provided that (1) the executed contracts with such customers are filed with the commission prior to the commencement of services, and (2) services are limited to the transportation of property in the specific commodities (refrigerated products) classification on the islands of Kauai, Oahu, Maui and Hawaii.


2. Applicant shall surrender Permit No. 651-P and an amended permit reflecting the operating authority granted by this decision and order shall be issued.

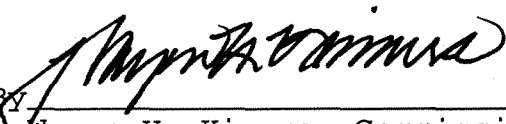
3. Applicant shall comply with the foregoing requirements within 120 days after service of this decision and order. Failure to comply within the time specified constitutes cause for this commission to void this decision and order.

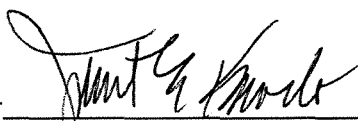
4. Applicant shall not commence operations under this decision and order until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii this 25th day of November,  
2003.


PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
Wayne H. Kimura, Commissioner

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

03-0243.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20673 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
P. O. Box 541  
Honolulu, HI 96809

THE PINT SIZE CORPORATION,  
dba D C EXPRESS  
c/o CLAYTON KIM, PRESIDENT  
99-1287 Waiua Place  
Aiea, HI 96701-3277

  
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Karen Higashi

DATED: November 25, 2003